



Issuance Date: February 23, 2005
Effective Date: March 1, 2005
Expiration Date: February 28, 2010

STATE WASTE DISCHARGE PERMIT NUMBER ST 6118

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
(Southwest Regional Office)

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

Shell Oil Products US
7370 Linderson Way SW
Tumwater, WA 98501

to discharge wastewater in accordance with the special and general conditions which follow.

Facility Location:
(same address as above)

Industry Type:
Bulk Petroleum Storage

SIC Code:
5171

Discharge Location:

Latitude: 46° 58' 50" N
Longitude: 122° 55' 00" W

Permit Fee Category:
Fuel and Chemical Storage (b)

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Monthly	April 15, 2005
S5	Spill Plan	1/permit cycle	June 30, 2005
S5	Spill Plan Update	Annually	June 30, 2006
G7	Application for permit renewal	1/permit cycle	October 1, 2009

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge to ground water indirectly via spray irrigation and native soil infiltration the following:

1. Storm water runoff from the tank farm containment area.
2. Effluent from a treatment system employing oil/water separation and activated carbon adsorption which receives all collected storm water runoff and washdown water from the fuel loading rack and return-to-stock pump-off areas, and periodic wastewaters from the hydrostatic testing of the storage tanks and piping.

The authorization to discharge is subject to the following limitations and monitoring requirements:

Parameter	Maximum (Any Sample)	Sample Point ¹	Minimum Monitoring Frequency ²	Monitoring Method
Benzene, µg/L	1.0	Effluent	Once per month	Grab sample
Toluene, µg/L	Report	Effluent	Once per month	Grab sample
Ethylbenzene, µg/L	Report	Effluent	Once per month	Grab sample
Xylene, µg/L	Report	Effluent	Once per month	Grab sample
Oil and Grease, mg/L	10	Effluent	Once per month	Grab sample
Total Petroleum Hydrocarbons ³				
Gas, mg/L	0.5	Effluent	Once per month	Grab sample
Diesel, mg/L	1.0	Effluent	Once per month	Grab sample
1,2,4-trimethylbenzene, µg/L	Report	Effluent	Once per month	Grab sample

¹Effluent pumping station (last chamber of former oil/water separator), or other point representative of the discharge to the land application system.

²Required only during months when a discharge occurs. For irregular discharges, monitor at least once prior to discharge.

³Analytical Methods for Petroleum Hydrocarbons, Department of Ecology Publication NO.97-602, 1997.

Storm water discharges from areas of the site not included in the above description are considered not associated with industrial activity, and are not subject to the requirements of this permit.

S2. SAMPLING AND ANALYSIS REQUIREMENTS

A. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the discharge, including any unusual discharge or discharge condition, such as bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

B. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC).

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring and reporting period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring results shall be reported on a form provided, or otherwise approved, by the Department, and shall be postmarked or received no later than the 15th day of the month following the completed reporting period. The report(s) shall be sent to the Department of Ecology, P.O. Box 47775, Olympia, Washington 98504.

Discharge Monitoring Report forms must be submitted on the prescribed schedule whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation (if applicable), copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses. (This information shall be recorded and kept on site, but need not be reported.)

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within 30 days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE OF CONTROL SYSTEMS

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed by the Permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not permit flows or waste loadings to exceed approved design criteria or approved revisions thereto.

S5. SPILL PLAN

By **June 30, 2005**, the Permittee shall complete and maintain on site a spill control plan for the prevention, containment, and control of spills or unplanned releases. The Permittee shall review the plan at least annually and update the Spill Plan as needed. The plan shall be followed throughout the rest of the term of the permit.

The spill control plan shall include the following:

- A description of operator training to implement the plan.
- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

- A list of all oil and petroleum products, materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or other materials which may become pollutants or cause pollution upon reaching state's waters.

Plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section may be submitted.

S6. CONDITIONAL GROUNDWATER MONITORING PLAN

If violations of the discharge limits occur, which are judged by the Department to represent a threat to groundwater quality, the Permittee shall be required by the Department to prepare and submit a Groundwater Monitoring Plan to the Department for review and approval. The elements of a Groundwater Monitoring Plan are described in the Department Publication #96-02, Implementation Guidance for the Ground Water Quality Standards. The plan should include the following elements:

- A description of the site hydrogeology including rates and direction of groundwater flow
- Design of a ground water monitoring network that will define upgradient and downgradient water quality
- Monitoring well design that meets the requirement of 173-160 WAC
- Sampling procedures and analytical test methods
- Quality assurance procedures for sampling

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to Revised Code of Washington (RCW) 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal by **October 1, 2009**.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;

- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to \$10,000 and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to \$10,000 for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.